

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-17729 - APPLICANT: MARK JAGET -
OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS,
LLC

*THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 3, 2007 CITY COUNCIL
MEETING AT THE REQUEST OF THE APPLICANT.*

**** CONDITIONS ****

The Planning Commission (4-3/se, rt, ds vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. Conformance to the conditions set for in Site Development Review (SDR-17731).
2. This approval shall be void two year from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a mixed-use, low-rise (five stories) residential development with 2,029 square feet of retail space available on the ground floor in a new building at the northeast corner of Third Street and Gass Avenue in downtown Las Vegas. The building is designed to reflect a warehouse-type loft residential development. There are several floor plans within this 30-unit development with several being of a “skip stop” layout offering both north and south views. A landscaped amenity area is located above the garage on the second floor that will include a pool. Roof signage is being proposed as an architectural element to reflect a 1940’s style Las Vegas design. In addition, a companion application request for a Site Development Review (SDR-17731) has been filed. A Special Use Permit is required for the mixed-use nature of this project.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| 12-10-64 | City Council rezoned the entire downtown including subject properties. |
| 12/07/06 | <p>The Planning Commission recommended denial of companion item SDR-17731 concurrently with this application.</p> <p>The Planning Commission voted 4-3/se, rt, ds to recommend DENIAL (PC Agenda Item #28/yk).</p> |
| <i>Pre-Application Meeting</i> | |
| 10/12/06 | The applicant met with staff concerning the development of a mixed-use project on commercially zoned property. The applicant was informed of the Special Use Permit requirement for the proposed mixed-use residential/commercial development and the standards for a Site Development Review application. A waiver for the required loading zone would be required and the applicant was informed that the proposed roof signage was problematic and should be reconsidered. |
| <i>Neighborhood Meeting</i> | |
| NA | NA |

| <i>Details of Application Request</i> | |
|--|-----------|
| <i>Site Area</i> | |
| Gross Acres | .60 acres |
| Net Acres | .32 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|--------------------|------------------|--------------------------------|
| Subject Property | Apartments | Commercial | R-4 (High Density Residential) |
| North | Office | Commercial | C-2 (General Commercial) |
| South | Apartments | Commercial | R-4 (High Density residential) |
| East | Office/Parking Lot | Commercial | C-2 (General Commercial) |
| West | Apartments | Commercial | C-2 (General Commercial) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | | |
| Downtown Centennial Plan | X | | Yes |
| Redevelopment Plan Area | X | | Yes |
| Special Districts/Zones | Yes | No | Compliance |
| Special Purpose and Overlay Districts | | | |
| Downtown Overlay District | X | | Yes |
| G-O Gaming Enterprise Overlay District | | X | NA |
| A-O Airport Overlay District | X | | Yes |
| H Historic Designation | | X | NA |
| Downtown Casino Overlay District | | X | NA |
| Live/Work Overlay District | X | | Yes |
| Las Vegas Boulevard Scenic Byway Overlay District | | X | NA |
| Trails | | X | NA |
| Development Impact Notification Assessment | | X | NA |
| Project of Regional Significance | | X | NA |

DEVELOPMENT STANDARDS

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|---|-------------------------|------------------------------|-------------------|
| Min. Lot Size | NA | 13,655 sf | Yes |
| Min. Lot Width | NA | 100 feet | Yes |
| Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear | NA NA NA NA | None None None None | Yes |
| Min. Distance Between Buildings | NA | None | Yes |

| | | | |
|----------------------|--------------|---------|-----|
| Max. Lot Coverage | 100% allowed | 100% | Yes |
| Max. Building Height | No limit | 80 feet | Yes |
| Trash Enclosure | Required | Yes | Yes |
| Mech. Equipment | Screened | Yes | Yes |

Per Title 19.08: All structures located in the Downtown Overlay District are exempted from the automatic application of the building height, building setback, lot coverage provisions and residential adjacency standards.

| <i>Streetscape Standards</i> | <i>Required</i> | <i>Provided</i> | <i>Compliance</i> |
|-------------------------------------|---|---|--------------------------|
| Downtown Centennial Plan | 5-foot amenity zone and 11-foot sidewalks | 5-foot amenity zone and 11-foot sidewalks | Yes |

This project meets the Downtown Centennial Plan streetscape requirements by providing five Southern Heritage Live Oak trees along the Gass Avenue frontage and providing three Deglet-Noor Date Palm trees along the Third Street frontage. Additional landscaping is located on the second floor amenity area on the north and east elevations of the structure.

Pursuant to Title 19.10, the following parking standards apply:

| Parking Requirement | | | | | | | |
|----------------------------------|-------------------------------------|--------------------|---------|--------------|----------|--------------|------------|
| Use | Gross Floor Area or Number of Units | Required | | | Provided | | Compliance |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Residential (studio & 1 bedroom) | 20 | 1.25 + one guest/6 | 28 | 2 | 28 | 2 | Yes |
| Residential (2 bedroom) | 10 | 1.75 + one guest/6 | 21 | 1 | 0 | 0 | No |
| Retail | 2,029 sq. ft. | 1 per 175 sq.ft. | 12 | 1 | 0 | 0 | No |
| SubTotal | | | 61 | 4 | 28 | 2 | No |
| Loading Spaces | | 3 | | | 0 | | No |

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. The applicant is justifying providing no parking for the retail portion of this project due to the availability of on-street parking, nearby availability of parking in paid garages and the location of mass transit lines along Las Vegas Boulevard and Casino Center Boulevard. Staff concurs with this portion of the application. The fact that a service alley is adjacent to the project justifies the lack of loading spaces and staff concurs.

Staff is concerned with the lack of stacking space before the security gates, especially on the Third Street entrance. Staff recommends that the Third Street entrance be converted to an exit only and that the garage opening off of the alley be used only for an entrance which would allow some stacking room off of the street via the service alley. All electronic security gates must have written approval by City of Las Vegas Traffic Engineering prior to being permitted.

| Third Street Roof Sign: [19.14.(F).10] | | |
|---|--|--|
| Standards | Allowed | Provided |
| Maximum Number | 1 / Street frontage 1 total | 1 total |
| Maximum Area | 20% of elevation up to a maximum of 150 SF. | 35 SF |
| Maximum Height | 8 feet above top of wall | Shall be below 8 feet above the top of the wall |
| Minimum Setback | NA | NA |
| Illumination | Internal, External | Internal non-flashing red neon |

| Gass Avenue Roof Sign: [19.14.(F).10] | | |
|--|--|--|
| Standards | Allowed | Provided |
| Maximum Number | 1 / Street frontage 1 total | 4 / Street frontage 4 total |
| Maximum Area | 20% of elevation up to a maximum of 150 SF. | 84 SF total for all four signs |
| Maximum Height | 8 feet above top of wall | Shall be below 8 feet above the top of the wall |
| Minimum Setback | NA | NA |
| Illumination | Internal, External | Internal non-flashing red neon |

ANALYSIS

The mixed-use retail/residential nature of this project conforms with the mixed-use standards for both the Downtown Centennial Plan and Redevelopment Plan.

The elevation of the proposed building is creative and offers a distinct design element into the downtown that hasn't been seen for many years. The west and south elevations show considerable relief with the recessed balconies. The proposed stone veneer and silver-shaded glass adds a modern feel to the warehouse character of the project. The garage gate on the west elevation is rather plain and will need to be revised showing additional architectural detail. The wrap around canopy over the sidewalk will require an aerial easement from Public Works.

The site plan takes maximum advantage of the limited space with the retail component at the southwest corner of the project and the parking garage wrapping around it. Due to the lack of

stacking for the secured entry off of Third Street, it is advised that this become an exit only with the sole entrance to the garage being off of the service alley on the east side of the project. Written approval from the City of Las Vegas Traffic Engineering is required for the electronically secured garage doors. There are no loading docks being proposed for this project. However, the service alley will provide ample room for trucks to load and unload goods directly adjacent to the east property. A trash chute with access directly off of the service alley is also being provided.

There are 15 floor plans being offered in the 30-unit residential component of the project which provides a wide range of choices ranging from 811 square feet to over 2,100 square feet per unit. There are four "skip stop" units that will provide the residents with both north and south views. The retail will be located on the ground floor facing the west and south. The lobby for the residential units is located off of Third Street and the retail can be accessed from both the lobby and directly off of Gass Avenue.

Five roof-top signs are being proposed for this development. Title 19 allows for one roof-top sign per street elevation. The proposed signage for the west elevation meets this requirement. However, four roof-top signs are being proposed for the Gass Avenue frontage. Staff recommends that these four signs either be consolidated or that the numbers 3, 1, and 0 are removed altogether. The red non-flashing neon may be problematic for neighboring residential units.

FINDINGS:

The following findings must be made for an SUP:

1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan. *Upon approval of the companion Site Development Review (SDR-17731) the proposed development is compatible with adjacent development and overall downtown development.*
2. The subject site is physically suitable for the type and intensity of land use proposed. *This mixed-use retail/residential property is well suited for its downtown location.*
3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposal. *The capacity of both Third Street and Gass Avenue are adequate to meet the requirements of the proposed development.*

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General plan. *An aerial encroachment permit is required for the sidewalk canopy and written approval for the electronic garage doors from the Traffic Engineering Department are required. The development will require building permits from the Department of Building and Safety which will assure the public health, safety and general welfare are secured. Additionally, a detailed construction plan will be submitted and approved by Planning and Development staff prior to construction.*
5. The use meets all of the applicable conditions per Title 19.04. *This project is in conformance with Title 19.04.*

PLANNING COMMISSION ACTION

There were two speakers opposed to the project based primarily upon parking and traffic impacts, especially during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 272 by City Clerk

APPROVALS 0

PROTESTS 1